

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: David Quigley, AICP, Planning and Zoning Manager/ (954) 797-1103

PREPARED BY: Ingrid Allen, Planner III

SUBJECT: Ordinance Comprehensive Plan update

AFFECTED DISTRICT: Townwide

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: TEXT AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING AN AMENDMENT TO THE TEXT OF THE TOWN OF DAVIE COMPREHENSIVE PLAN IN ORDER TO INCORPORATE THE 2005 EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS PURSUANT TO SECTION 163.3191 FLORIDA STATUTES; AMENDING THE TOWN COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM: "RESIDENTIAL 1 DU/AC", "RESIDENTIAL 3 DU/AC", "RESIDENTIAL 5 DU/AC", "SPECIAL CLASSIFICATION RESIDENTIAL 2 DU/AC", "SPECIAL CLASSIFICATION RESIDENTIAL 8 DU/AC", "COMMERCIAL", "RESIDENTIAL OFFICE", "RECREATION OPEN SPACE" TO: "CONSERVATION" OR "RECREATION OPEN SPACE"; AMENDING THE INFRASTRUCTURE, CAPITAL IMPROVEMENT, INTERGOVERNMENTAL AND PARKS, RECREATION OPEN SPACE AND CONSERVATION ELEMENTS OF THE COMPREHENSIVE PLAN IN ORDER TO PROVIDE FOR THE STATE MANDATED WATER SUPPLY AMENDMENTS; PROVIDING FOR THE TRANSMITTAL OF THE AMENDMENT PACKAGE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading February 18, 2009, the transmittal to the Department of Community Affairs of these EAR-based amendments and staff would look into the issues Council had directed. In a voice vote, with Councilmember Hubert being absent, all voted in favor.} (tabled from July 29, 2009)

REPORT IN BRIEF: The item before Town Council is the adoption of the Comprehensive Plan Update to include the 2005 EAR-based amendments and the State mandated Water Supply amendments. The amendment package also includes an amendment to the Future Land Use Plan Map in order to change 27 park/open space sites,

1,134.9 acres, more or less, from Special Classification Residential 3.6 DU/AC, Special Classification Residential 8 DU/AC, Recreation/Open Space, Commercial, Residential/Office, Special Classification Residential 2 DU/AC, Residential 1 DU/AC, Residential 3 DU/AC, and Residential 5 DU/AC land uses to Recreation/Open Space or Conservation land uses (see Exhibit B). The Update consists of two parts: (1) Goals, Objectives & Policies (GOP) and; (2) Data, Inventory & Analysis (DIA).

On February 18, 2009, Town Council approved, on first reading, the transmittal of the document to the Department of Community Affairs (DCA) for review. On May 4, 2009, the Town received the Objections, Recommendations, and Comments (ORC) Report which outlines DCA's findings. Staff has addressed all of the ORC Report findings in the attached Response Document (see attachment 1) and incorporated the necessary revisions into the final document. Additional updates to the document are highlighted in the attached Discussion Matrix (see attachment 2). Issues brought up at the February 18, 2009 Town Council meeting regarding water reuse and tree canopy have been addressed in the Infrastructure Element and the Parks, Rec, Open Space and Conservation Element accordingly.

Pursuant to Chapter 163 F.S., once every seven years each local government is required to adopt an Evaluation and Appraisal Report (EAR) to assess the progress in implementing the Comprehensive Plan. The Town of Davie adopted the 2005 EAR on April 19, 2006. On July 11, 2006, the EAR was found to be sufficient by the Department of Community Affairs, the state land planning agency. The Town is required to amend its Comprehensive Plan based on the recommendations in the EAR within 18 months after the EAR is found sufficient. The Town was granted a six-month extension by DCA pursuant to Section 163.3191(10) F.S. for the adoption of such amendments.

Four public workshops from October 22, 2007- November 1, 2007 were held . Meetings with the Town's Open Space Advisory Committee and the Agricultural Advisory Committee were held on May 27, 2008. In addition, a meeting with the Site Plan Committee was held on June 10, 2008 and workshops on the working draft were held with both the Local Planning Agency on June 11, 2008 and with Town Council on June 18, 2008. Comments from both workshops were incorporated into the document.

The 2005 EAR identified six major issues (see below) that are a matter of concern to the existing and future growth and development of the Town. The purpose of identifying these major issues is to allow local governments to control and direct community needs. From these 'issues' detailed analysis was conducted identifying specific gaps in policies and procedures that may or may not be consistent with Town direction. The following information lists the issues identified in the 2005 EAR and the recommendations made by the public and staff. These recommendations have been incorporated into the proposed Comprehensive Plan Update in the form of Goal, Objectives and Policies.

1. Preservation and Acquisition of Open Space – Funding of Services and Facilities.

Recommendations:

- a. Conduct a comprehensive survey (including mapping) of current resources.

- b. Aggressively pursue acquiring a limited number of additional parcels of land that would address deficiencies revealed in the land resource inventory.
- c. Purchase strategically located parcels and obtain the necessary easements to complete the Town's trail network.
- d. Maintenance of Town parks, trails and open space must be improved.
- e. The Town will evaluate and plan for the long term stability of parks, trails, and open space.
- f. The Town will continue to partner with the Florida Community Trust, Trust for Public Lands and Davie Area Land Trust when identified strategic parcels become available for purchase.
- g. The Town will coordinate with Broward County ensuring the greenways plan and Town trails system interconnects.
- h. The Town will work with adjacent municipalities on regional park and trail issues.

2. Capital Improvement Plan (CIP) – Funding and Coordination.

Recommendations:

- a. Utilize the standardized form for capital project proposals.
- b. Amend evaluation criteria considered for prioritizing capital projects.
- c. Implement a Capital Needs Assessment that addresses the following questions.
- d. Provide yearly updates of the CIP to the Department of Community Affairs including dedicated funding mechanisms.
- e. Streamline the CIP process.

3. Providing Strategies and Opportunities for Affordable and Workforce Housing.

Recommendations:

- a. Ensure residential developments offer at least 20 percent affordable units for every project or other affordable house initiative/measure.
- b. The Town of Davie should look for opportunities for infill and redevelopment allowing affordable housing projects.
- c. Creation of an Affordable Housing Trust Fund.
- d. Need for zoning flexibility and increased density in areas, designated by Town Council, where appropriate density already exists to support mixes of housing types and income levels.
- e. Redevelopment of substandard Mobile Home Communities.
- f. Continue to monitor the airport noise impact upon the eastern Mobile Home Parks and create a mitigation program to address the issue.

4. Planning for Economic Vitality.

Recommendations:

- a. Encourage developments in key redevelopment areas.
- b. Increase economic vitality of the Town through public/private partnerships.
- c. Assure that new commercial and industrial uses are appropriately located.
- d. Provide additional land use policies that will encourage infill development and redevelopment.
- e. Work with the Water Management Districts on area-wide drainage plans to allow infill development to occur.

- f. Research the ability to create an impact fee specific to those uses that may be tax-exempt.
- g. Research alternative funding strategy mechanisms for the required and necessary infrastructure improvements in the Town's targeted redevelopment areas.
- h. Implement the SR7/441 Master Plan and RAC Master Plan (upon completion) to provide opportunities for economic growth in a meaningful and balanced way.

5. Building an Adequate Local Road Network.

Recommendations:

- a. Continue coordination with the State of Florida and Broward County transportation agencies through existing mechanisms to ensure continued traffic safety and level of service.
- b. The Town should provide network continuity for north-south and east-west circulation, meaning that there are no gaps in the network.
- c. The Town shall continue to improve the level of service on the regional roadways.
- d. The Town must implement policies to encourage transit and other multi-modal forms of transportation throughout the Town.
- e. Street should be designed to decrease accident frequency.
- f. The Town should adopt a Transit Concurrency Management System due to the recent adoption of Transit Concurrency by Broward County.
- g. Retain a consultant to create a public rights-of-way base Master Plan for the local roadways of the Town.

6. Evaluation and Impact of the Proposed Increase in Density of the Regional Activity Center.

Recommendations:

- a. Encourage growth within the RAC and recognize how it will affect other parts of Davie.
- b. Introduce additional "smart growth" principles into the Goals, Objectives, and Policies section of the Future Land Use Element.
- c. Protect the intact single family neighborhoods from intrusion of multi-family housing and protect existing commercial areas from exclusively multi-family developments.
- d. The RAC serves as a focal point for Davie, opportunities exist to enhance this resource through vehicular, pedestrian and bicycle access/circulation and an overall design theme.

Upon approval by Town Council, staff will transmit the final document to the Department of Community Affairs (DCA) for compliance review.

PREVIOUS ACTIONS: At the February 18, 2009 Town Council meeting, Councilmember Starkey made a motion, seconded by Mayor Truex, to approve on first reading transmittal to the Department of Community Affairs of these EAR-based amendments and staff would look into the issues Council had directed. (Motion carried 4-0. Councilmember Hubert was absent).

On July 29, 2009, Council tabled this item to August 19, 2009.

CONCURRENCES: At the January 28, 2009 Local Planning Agency meeting, Vice-Chair Stevens made a motion, seconded by Mr. DeArmas, to approve subject to revising the EAR (Evaluation and Appraisal Report) to reflect that the only changes to the proposed future land use map were those park designated items that were described by staff on illustration 1-17 and subsequent pages; and to provide a WORD Index and/or Table of Contents. (Motion carried 3-1. Ms. Turin was absent.)

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve ordinance

Attachment(s): ORC Response Document, Staff discussion matrix, Ordinance, Exhibit A: Comprehensive Plan Update: (1) Data, Inventory & Analysis and (2) Goals, Objectives & Policies (**provided under separate cover**). Exhibit B: Parks and Recreation map amendment sites, existing and proposed land use for parks amendment.

Response Document
Objections, Recommendations, Comments (ORC) Report
Town of Davie Comprehensive Plan Update - DCA No. 09-1ER

The purpose of this document is to respond to review agency comments (as indicated on the Department of Community Affairs' ORC report) made on the Town of Davie Comprehensive Plan Update to include the 2005 EAR-based amendments, and the State mandated Water Supply amendments.

ORC Objection #1.

The Town has not provided an intensity standard for the non-residential land use categories within the Future Land Use Element. In the absence of standards such as lot coverage and building heights or floor area ratios, the development potential of a site and assessment of the public facility impacts cannot be determined.

Response:

The Plan Update has been revised to include appropriate intensity standards for the non-residential land uses within the comprehensive plan. The new intensity standards have been included as modifications to the Plan Implementation portion of the Data, Inventory and Analysis for Future Land Use Element, and are noted below.

<u>LAND USE CATEGORY</u>	<u>MAX BLDG COVERAGE</u>	<u>MAX BLDG</u>
<u>HEIGHT</u>		
Commercial	.40	35'
Commerce/Office	.40	45'
Industrial	.40	35'
Residential/Office	.40	25'

ORC Objection #2.

Housing Element Objective 6 states that the Town will actively encourage and promote the preservation of existing mobile home communities outside of the Regional Activity Center as a source of affordable housing. More specifically, Policy 6-2 calls for the Town to encourage asset building among mobile home owners, so that owners may be able to gather buying power to purchase their own parks. However, the Town has not identified the specific strategies or mechanisms to be used to successfully achieve this initiative.

Response:

The Town has modified Policy 6-2 of the Housing Element to identify specific strategies by which asset building among mobile home owners may be promoted, so as to encourage the preservation of mobile home communities.

Policy 6-2: Encourage asset building among mobile home owners through shared ownership via the formation of non-profit cooperatives and community loan pools, so that owners may be able to gather enough buying power to purchase their own parks.

ORC Objection #3.

The Town has not adequately revised the Future Land Use, Conservation, Transportation, and Housing Elements to incorporate strategies that address the reduction of greenhouse gas emissions, the promotion of energy conservation, and energy efficiency in the design and construction of new housing.

Response:

The Town has included new objectives and policies (indicated below) within the Future Land Use, Transportation, Recreation, Open Space and Conservation, Housing and Capital Improvements Elements to identify specific standards and strategies to address greenhouse gas emissions reductions, energy efficient housing and overall energy conservation.

FUTURE LAND USE

Policy 1-14 New public buildings constructed by the Town shall include energy efficient design features and green building standards.

Objective 2 Increase education about sustainable building practices and use of environmentally sustainable products within the Town of Davie.

Policy 2-1 The Town will inform residents and business owners with regard to energy efficient buildings, energy efficient appliances, waste recycling, building products from renewable resources, non-toxic building products and water efficient fixtures and landscapes.

Policy 2-2 The Town shall enhance the energy efficiency of Town facilities through “green” procurement, the purchase of energy star rated or equivalent equipment and appliances for Town use, energy efficient cooling/heating systems, efficient lighting and employee education on energy conservation.

Policy 2-3 The Town shall encourage the certification of Leadership in Energy and Environmental Design (LEED), US Green Building Council (USGBC) and other comparable certification bodies for all new development and redevelopment.

Policy 2-4 The Town shall conduct energy audits of all Town buildings by 2011.

Policy 2-5 The Town shall encourage the use of alternative forms of energy in new development, redevelopment and building retrofits, including the use of solar and wind energy.

Policy 2-6 Adopt and maintain land development regulations that eliminate barriers to certification of Leadership in Energy and Environmental Design (LEED), US Green Building Council (USGBC), Florida

Green Building Coalition (FGBC) or any comparable certification organizations.

Policy 2-7 The Town shall encourage policies and actions that reduce greenhouse gas emissions and other air pollutants and increase the use of renewable natural resources.

Policy 2-8 The Town shall encourage increased walking, bicycling and use of public transit by updating land use requirements for walkways, bike lanes, bus stops, pedestrian interconnectivity and other design elements that encourage walkable communities and transit readiness.

Policy 2-9 Land use decisions shall consider the most energy efficient use of land given existing and future electric power generation and transmission systems.

Policy 2-10 The Town will inventory all paved heat islands, including sidewalks, and implement a landscape shade program.

TRANSPORTATION

Policy 5.1.5 By December 31, 2011 the Town shall adopt a sustainable Mobility Plan. The Plan shall develop a long-term strategy to reduce CO₂ emissions, provide transportation alternatives, but will not replace, reduce or weaken road concurrency standards.

Policy 5.1.7 The Town shall actively work to reduce the amount of vehicle miles travelled within the Town through the promotion of carpooling, mass transit systems, and alternative forms of transportation.

HOUSING

Objective 8 Strive to fulfill the Town housing needs while promoting sustainable and energy efficient standards.

Policy 8-1 The Town shall promote conservation programs and energy efficient practices that reduce housing operation costs for energy, sewer and water usage, and landscaping in new residential developments and redevelopment housing areas.

Policy 8-2 The Town shall consider offering regulatory and financial incentives to encourage developers to use green building standards and energy efficient technologies.

Policy 8-3 The Town will consider a “Green Living” program to local neighborhood Homeowner’s Associations, and provide assistance to HOAs wishing to implement the program when feasible.

CONSERVATION

Policy 3.4.3 The Town will promote the reduction of motor vehicle pollution by utilizing cleaner burning, energy efficient vehicles, including hybrids, and utilizing alternate fuels such as biodiesel and hydrogen and shared bicycle and pedestrian systems.

Policy 3.4.4 Reduce pollution and conserve resources through public education and encouraging the following:

1. Directing development to targeted redevelopment areas;
2. Vegetative buffers between arterial roadways and residential neighborhoods;
3. The use of alternative modes of transportation including public transit, bicycle and pedestrian paths/corridors, light rail and car pooling;
4. The installation of sidewalks for all new developments, the retrofit of neighborhoods with sidewalks and the repair of existing sidewalks, and requirements such as provision of bicycle racks; and
5. Implementation of a “paperless office” program and enhanced recycling efforts.

CAPITAL IMPROVEMENTS

Policy 1-6(l) Whether the project facilitates the overall sustainability of the community.

Policy 1-10 The Town will adopt “green procurement” policies to guide future Town purchases.

ORC Objection #4.

The Town has not adopted revised transportation level of service standards consistent with Broward County’s recently revised level of standards including level of service standards for the South Central Transit Concurrency Management Area (TCMA).

Response:

The Town has amended the Transportation Element and the Capital Improvements Element to include the new Broward County level of service standards, including the new LOS for the South Central TCMA.

Transportation Element

FIHS Roadway	Segment	Los	Peak Hour Volume
Florida Turnpike	South Town Limits to I-595	D	8,900
I-595	I-75 to Pine Island Road	D	12,100
	Pine Island Road to east of SR 7	D	12,200
I-75	Sheridan Street to I-595	D	12,100

~~Source: Level of Service Manual, Excerpts from Tables 5-4 and 5-7, Florida Department of Transportation, (1998).~~

<u>FIHS Roadway</u>	<u>Segment</u>	<u>Los</u>
<u>Florida Turnpike and Homestead Extension</u>	<u>Miami-Dade County line to Palm Beach County line</u>	<u>D</u>
<u>I-595</u>	<u>I-75 to US1</u>	<u>D</u>
		<u>D</u>
<u>I-75</u>	<u>Miami-Dade County line to west of US 27</u>	<u>D</u>

Source: Level of Service Manual, Excerpts from Tables F-1, Florida Department of Transportation, (2002).

Policy 2.1.2 b. For non-FIHS transportation facilities and transportation facilities functionally classified as collector roads or higher, the generalized two-way peak-hour LOS "D" standard volumes depicted on Table 5-7 F-1, Level of Service Manual, Florida Department of Transportation, (1998-2002).

Policy 2.1.2 d. For facilities within the South Central Concurrency Exception District; achieve headways of 30 minutes or less on 80% of routes, establish at least one neighborhood transit center, establish at least one additional community bus route, and expand coverage area to 48 percent.

Capital Improvements Element

Policy 5-3 The following are the levels of service (LOS) standards adopted in the appropriate ~~CDMP~~ Comprehensive Plan elements:

1. Potable Water:
 - 145 ~~150~~ gallons per capita per day (gpcd)
2. Sanitary Sewer:
 - 110 gpcd
3. Solid Waste: 8.9 pounds per unit per day
4. Parks and Recreation:
 - 10 acres per 1,000 population

5. Transportation:

- Southwest Concurrency District: LOS “D”
- South Central Transit Oriented Concurrency District: Mitigation Fund. Achieve headways of 30 minutes or less on 80% of routes, establish at least one neighborhood transit center, establish at least one additional community bus route, and expand coverage area to 48 percent.

ORC Objection #5.

The Town proposes to delete Policy 25-10(2)(d) of the Future Land Use Element which calls for the analysis of impacts for urban redevelopment areas on the Florida Intrastate Highway System (FIHS) and to consider policies/programs that encourage alternatives to automobile travel on the FIHS such as Tri-Rail, bus service, pedestrian access to transit, etc. Deletion of the policy is internally inconsistent with Transportation Element Goal 3 regarding a safe, convenient and efficient transportation system for motorized and non-motorized modes of travel as well as data and analysis and objective and policy requirements of Rule 9J-5.019, F.A.C.

Response:

The Town proposed a new Policy 24-2(2)d of the Future Land Use Element which replaces the previous Policy 25-10(2)d, calling for the analysis of impacts for urban redevelopment areas on the Florida Intrastate Highway System (FIHS) and to consider policies/ programs that encourage alternatives to automobile travel on the FIHS such as Tri-Rail, bus service, pedestrian access to transit, etc. The proposed language is noted below.

Policy 24-2(2)d There must be an analysis considering the impact of the urban redevelopment area on the Florida Interstate Highway System and considering policies/programs to encourage alternatives to automobile travel on the Florida Interstate Highway System such as, but not limited to, expansion of capacity and ridership on the Tri-Rail including expanded feeder bus service, expansion of bus service, creation of transportation management associations, the provision of local transit service within designated areas such as “trolleys”, and/or improvement of pedestrian access to transit passenger facilities.

In addition, the Town has modified the proposed Policy 3-9 of the Intergovernmental Coordination Element which directs the Town to continue coordination with FDOT and the County on the maintenance of adopted level of service standards. The modified language includes reference to “multimodal” transportation levels of service.

Policy 3-9 Continue to coordinate with the FDOT and Broward County Transportation to ensure the maintenance of adopted level of service standards, including multimodal level of service standards, and the safety of all residents and visitors to the Town.

ORC Objection #6.

The Town has not revised policies within the Public School Facilities Element (PSFE) to adopt the County School Board's 2008/09-2012/13 District Educational Facilities Plan, as adopted on August 6, 2008. The Town also has not revised the PSFE map series to reflect the current district educational facilities plan, nor included the revised level of service analysis for schools.

Response:

The Town has revised policy 4.4 of the Capital Improvements Element (CIE) indicating that the Broward County School Board's 2008/09-2012/13 DEFP, as adopted on August 6, 2008, is adopted by reference into the Town's CIE. The Town has also revised the PSFE map series to reflect the Broward School Board's educational facilities plan as well as the level of service analysis for schools.

ORC Objection #7.

The proposed Water Supply Facilities Work Plan does not provide sufficient data and analysis demonstrating that the Town's six water providers will be able to meet future water demands within each of the water supply service areas within the Town.

Response:

The 10 year Water Supply Facilities Work Plan (WSFWP) has been modified demonstrating the six water suppliers are able to supply future water demands in their respective areas. The major plan modifications include population estimates and projections for each water supplier along with the Alternative Water Supply (AWS) projects proposed to ensure adequate water supply. The AWS projects generally included conservation, Floridan aquifer raw water supply and reuse. Those capital improvements were identified.

ORC Objection #8.

The proposed amendment does not include a policy to address water supply concurrency pursuant to Section 163.3180(2)(a), F.S. The statute requires that the local government shall consult with the applicable water supplier to determine whether adequate water supply to serve new development will be available no later than at the time of issuance of a certificate of occupancy or its functional equivalent.

Response:

Policy 2-3 has been added to the Infrastructure Element stating that "Prior to approving a building permit or its functional equivalent, the Town shall consult with the appropriate water supplier to determine whether adequate water supplies will be available to serve the

new development no later than the anticipated date of issuance of a certificate of occupancy or its functional equivalent by the Town”.

ORC Objection #9.

The Town provided Figure 2-2 within the Town’s Water Supply Facilities Work Plan to illustrate the water utility service area boundaries; however, the boundaries of the water service areas, as presented on the map, are not legible.

Response:

Figure 2-2 was included in a larger format to be more legible to delineate the six water service areas.

ORC Objection #10.

The proposed amendment does not include a policy that requires coordination with the South Florida Water Management District related to updating the Town’s Water Supply Facilities Work Plan within 18 months after the South Florida Water Management District updates the Lower East Coast Regional Water Supply Plan Update.

Response:

Policy 3-14 has been added to the Intergovernmental Coordination Element stating that the “Town will coordinate with the South Florida Water Management District in order to update the Town’s Water Supply Facilities Work Plan within 18 months after the South Florida Water Management District updates the Lower East Coast Regional Water Supply Plan Update”.

ORC Objection #11.

The proposed Five-Year Schedule of Capital Improvements does not identify the alternative water supply projects that will be implemented by the Town to meet future water supply demands.

Response:

The Town approved Ordinance 2008-37 on November 19, 2008 providing an updated Capital Improvements Element (CIE). This update was found in compliance by DCA. The capital improvement plan submitted for the Town of Davie Service area identifies the proposed AWS projects, a 12 MGD Floridan RO plant, built in stages, and reuse. The capital improvement program is currently underway. In July of 2008 a request for qualifications was placed in a local newspaper for a design/build team to complete design and construction of the new water treatment facilities. Qualification packages were received and presentations to the Town were heard September 29th 2008. On October 15th, 2008 the Town Council approved of negotiations with a design/build firm to complete design and construction of the new reverse osmosis facilities. A contract has been let and the 1st phase of the project to prepare a guaranteed maximum price (GMP) for presentation to the Town has started. Currently, a contract has been let with a well driller and they are currently in the process of drilling a Floridan test well. This well, if

successful, would likely be converted to a production well upon completion of the 1st phase of the new WTP construction.

During November and December of 2007 the Town Council held public workshops and during public Council meetings approved the results of a utility rate study that was completed. They implemented rates and other connection type of fees to fund future infrastructure improvements on 12/17/07. The Town authorized staff by RESOLUTION NO. R-2008-111 on 6/4/08 to secure bonds, loans and grants as needed to complete the facilities.

DISCUSSION MATRIX

Section/Element	Page	Goal, Objective or Policy Number	Additional updates incorporated into the proposed Comprehensive Plan:
DIA/Future Land Use Element, Parks, Rec. Open Space, Conservation Element, Housing Element	Multiple pages	NA	<ul style="list-style-type: none"> Modification of population projections and related information.
DIA/Future Land Use Element	Multiple pages	NA	<ul style="list-style-type: none"> The “Plan Implementation” section was removed and transferred into the Future Land Use Element of the GOP’s.
DIA/Infrastructure Element	3-5	NA	<ul style="list-style-type: none"> Modification of the potable water level of service from 150 gallons per capita per day to 145 and related information.
DIA/Infrastructure Element	3-7	NA	<p>As a result of population and potable water level of service changes the following Table modifications were made:</p> <ul style="list-style-type: none"> Table 1: Projected Potable Water Demand Through 2018. Table 2: Water Loss Ratio and Total Capacity Needs
DIA/Infrastructure Element	3-7	NA	<ul style="list-style-type: none"> Modification in MGD net increase from the retirement of the north treatment plant and the development of the new reverse osmosis treatment
DIA/Infrastructure Element	3-8	NA	<ul style="list-style-type: none"> Modification of the future capacity of the Town’s water supply system.
DIA/Infrastructure Element	3-8	NA	<ul style="list-style-type: none"> Modification of the increase in existing potable water supply capacity.
DIA/Infrastructure Element	3-9	NA	<ul style="list-style-type: none"> Modification of wastewater treatment capacity.
DIA/Future Land Use Element	1-7, multiple pages	NA	<ul style="list-style-type: none"> Modification in the amount of additional dwelling units developed in the RAC in the ten year planning period.
DIA/Future Land Use Element	1-7	NA	<ul style="list-style-type: none"> Modification in housing capacity in the RAC at the end of the planning period.
DIA/Future Land Use	1-8	NA	<ul style="list-style-type: none"> Modification in the number

Element			of persons the Town has the ability to provide housing for.
DIA/Future Land Use Element	1-16	NA	<ul style="list-style-type: none"> ▪ Addition of the number of additional residential dwelling units in the TOC over a twenty year planning horizon and related information.
DIA/Future Land Use Element	1-19	NA	<ul style="list-style-type: none"> ▪ Modification of sanitary sewer data.
GOP's/Infrastructure Element	5	Policy 1-7	<ul style="list-style-type: none"> ▪ Wastewater facility planning and capacity policy
GOP's/Infrastructure Element	5	Policy 2-3	<ul style="list-style-type: none"> ▪ Adequate water supply for new development policy
GOP's/Infrastructure Element	11	Policies 10-12 through 10-19	<ul style="list-style-type: none"> ▪ Public water conservation policies
GOP's/Infrastructure Element	11	Objective 11, Policies 11-1 through 11-4	<ul style="list-style-type: none"> ▪ Water reuse objective and policies
GOP's/Capital Improvement Element	2	Policy 1-6(l)	<ul style="list-style-type: none"> ▪ Capital Projects that facilitate the sustainability of the community have priority
GOP's/Capital Improvement Element	5	Policy 5-3 (1)	<ul style="list-style-type: none"> ▪ Modification of the potable water level of service to 145 gpcd
GOP's/Capital Improvement Element	6	Policy 5-3(5)	<ul style="list-style-type: none"> ▪ Modification of the Transportation level of service for the South Central Transit Oriented Concurrency District.

(additional text is indicated in the document by a double underline, deletions are indicated by a ~~double strikethrough~~).

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING AN AMENDMENT TO THE TEXT OF THE TOWN OF DAVIE COMPREHENSIVE PLAN IN ORDER TO INCORPORATE THE 2005 EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS PURSUANT TO SECTION 163.3191 FLORIDA STATUTES; AMENDING THE TOWN COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM: "RESIDENTIAL 1 DU/AC", "RESIDENTIAL 3 DU/AC", "RESIDENTIAL 5 DU/AC", "SPECIAL CLASSIFICATION RESIDENTIAL 2 DU/AC", "SPECIAL CLASSIFICATION RESIDENTIAL 8 DU/AC", "COMMERCIAL", "RESIDENTIAL OFFICE", "RECREATION OPEN SPACE" TO: "CONSERVATION" OR "RECREATION OPEN SPACE"; AMENDING THE INFRASTRUCTURE, CAPITAL IMPROVEMENT, INTERGOVERNMENTAL AND PARKS, RECREATION OPEN SPACE AND CONSERVATION ELEMENTS OF THE COMPREHENSIVE PLAN IN ORDER TO PROVIDE FOR THE STATE MANDATED WATER SUPPLY AMENDMENTS; PROVIDING FOR THE TRANSMITTAL OF THE AMENDMENT PACKAGE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie wishes to amend the Comprehensive Plan in order to incorporate the 2005 EAR-based amendments and the State mandated Water Supply amendments; and

WHEREAS, the Town Council of the Town of Davie wishes to amend the Future Land Use Map of the Comprehensive Plan in order to incorporate the parks and recreation map amendments; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules; and

WHEREAS, Section 163.3191(10), Florida Statutes, provides for the amending of the Comprehensive Plan based on the recommendations in the Evaluation and Appraisal (EAR) referred to as the EAR based amendments; and

WHEREAS, the Town of Davie adopted 2005 EAR was found sufficient by the Department of Community Affairs (DCA) on July 11, 2006; and

WHEREAS, upon a finding by the DCA that the 2005 EAR was sufficient, the Town of Davie has prepared the EAR-based amendments necessary to update the Comprehensive Plan and to address the issues and opportunities identified in the EAR; and

WHEREAS, Section 163.3177(6)(c), Florida Statutes, requires that local governments prepare and adopt a 10-Year Water Supply Facilities Work Plan and amend their Comprehensive Plan within 18 months after the water management district approves a regional water supply plan or its update; and

WHEREAS, the Town adopted the 10-Year Water Supply Facilities Work Plan on January 21, 2009; and

WHEREAS, the Town has proposed amendments to the Goals, Objectives and Policies of the Infrastructure, Capital Improvement, Intergovernmental and Recreation Open Space, and Conservation Elements to support and implement its adopted 10-Year Water Supply Facilities Work Plan; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing duly advertised on January 28, 2009; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by Chapter 163.3184, F.S. on February 18, 2009 and on the date of adoption of this Ordinance; and

WHEREAS, the Town Council of the Town of Davie desires to transmit the Town's Comprehensive Plan Amendments provided herein to the State of Florida Department of Community Affairs (DCA) for compliance review.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The text of the Comprehensive Plan is hereby amended as set forth in Exhibit "A", attached hereto and made a part hereof.

SECTION 2. The Future Land Use Map of the Comprehensive Plan is hereby amended as set forth in Exhibit "B", attached hereto and made a part hereof.

SECTION 3. The Town Council hereby authorizes the appropriate Town officials to submit the appropriate number of copies of this ordinance and the Town's Comprehensive Plan, as amended herein, to the State of Florida Department of

Community Affairs and to any other governmental agency having jurisdiction with regard to the approval of same in accordance with and pursuant to Chapter 163, Florida Statutes.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 6. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, F.S.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2009

PASSED ON SECOND READING THIS _____ DAY OF _____, 2009

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2009

BACKUP DOCUMENTATION

PREVIOUSLY DISTRIBUTED

**(for reference, please see item 6.5
from the July 29, 2009 meeting)**